

**From:** [Edlund, Carl](#)  
**To:** [Phillips, Pam](#); [Broyles, Ragan](#); [Webster, Susan](#); [Petersen, Chris](#)  
**Subject:** FW: West Fertilizer  
**Date:** Friday, May 03, 2013 1:18:22 PM

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Do we have our own perspective on what happened that is different?

-----Original Message-----

From: Stanton, Larry  
Sent: Friday, May 03, 2013 11:14 AM  
To: 'Barab.Jordan@dol.gov'  
Cc: Tulis, Dana; Barnet, Henry; Edlund, Carl  
Subject: West Fertilizer

Jordan -

I am back from West this morning. It appears that the criminal part of the investigation - while winding down - is going to continue for another little while.

In the meantime, there are issues with CSB involvement and access. I spoke to Raphael (Chair of CSB) in San Antonio on Wednesday, but was not able to come to any conclusions with him as to how CSB would integrate. As of today, I understand the local authorities have banned CSB from the site. This issue will unquestionably work its way to the White House within a week or so.

I have been asked by my leadership to see if we can't develop a short paper on how the investigation will unfold. I am sure the folks on the ground would be happiest if DC stayed out of the matter, but that option seems to be off the table.

To that end, I hope we can talk in advance of Tuesday's conference. My understanding is the EPA has asked (and OSHA has agreed) to have OSHA "lead" the investigation with EPA support. If that is your understanding as well, excellent. I also understand that both OSHA and EPA have MOUs in place with CSB that should define the manner in which they integrate. We should certainly compare those.

I have copied 2 of my colleagues here in EPA - Henry is our senior LEO, and leads our Agency's criminal investigative work. Carl is our Superfund Division Director in Region 6 - the EPA lead representative on the ground in West (our On-Scene Coordinator) works for him. We three in EPA, along with you and appropriate colleagues from OSHA, would need to put together the short description requested.

My Administrator is hoping for something by the end of next week. How would you like to proceed?

Larry